

REMARKS

Applicants appreciate the thorough examination of the present application that is reflected in the Official Action of April 12, 2006. Applicants also appreciate the Examiner's indication that Claim 5 would be allowable if rewritten in independent form. Claim 5 has not been rewritten in independent form, however, because Applicants respectfully submit that all of the pending claims are patentable, for the reasons that will be described below. Accordingly, Applicants respectfully request withdrawal of the outstanding rejections and allowance of the present application in view of the following remarks.

Claims 19-20 Are Statutory Under 35 USC §101

Claims 19-20 stand rejected under 35 USC §101 based on the statement in the specification that the computer program products of the present invention may reside on a computer-useable storage medium, where the computer readable storage medium may include transmission media such as those supporting the Internet or an intranet. In particular, this statement from the specification has been interpreted in the Office Action as including a transmission medium, which the Office Action states comprise an intangible medium that is non-statutory subject matter. Applicants respectfully traverse this rejection.

Claims 19 and 20 are directed to a computer program product that includes a computer usable storage medium having computer readable program code means embodied in the medium. Applicants respectfully submit that persons of skill in the art will appreciate that the statement in the specification regarding "transmission media" is directed to transmission hardware/software such as the hardware/software that supports Internet or intranet communications. The "transmission media" referred to in the specification is expressly described as a "computer readable medium." Persons of skill in the art will appreciate that carrier waves existing in space do not comprise a "computer readable medium", but instead only become computer readable when down-converted, demodulated, decoded and the like by transmission media hardware/software. Accordingly, the "transmission media" referred to in the specification and covered by Claims 19-20 comprises tangible transmission hardware/software that comprises statutory subject matter under 35 USC §101.

The Rejections Under 35 USC §112 Have Been Overcome

Claim 12 stands rejected as lacking antecedent basis. Claim 12 has been amended to depend from Claim 10, as was clearly intended, to thereby provide proper antecedent basis. Applicants regret this typographical error in the claim dependency.

Independent Claims 1, 10, 14 and 19 Are Patentable Over U.S. Patent Application Publication 2004/0181685 to Marwaha

Independent Claims 1, 10, 14 and 19 stand rejected under 35 USC §102(e) as being anticipated by Marwaha. However, independent Claim 1 recites in part:

1. A method of resolving problems in an application program that runs on an Information Technology (IT) infrastructure that includes a plurality of IT components, comprising:
 - generating a symptom that identifies a problem in the application program;
 - identifying selected IT components in the IT infrastructure that may cause the problem in the application program, based on the symptom....

Analogous recitations may be found in independent Claims 14 and 19.

At the top of Page 4, the Official Action states that Marwaha teaches "identifying selected IT components in the IT infrastructure that may cause the problem in the application program, based on the symptom" at Paragraph [0056], lines 8-10. However, this passage of Marwaha merely states:

The data normalization transformer 204 typically gathers information such as the source, type, and status of a problem associated with an alert message.

This data gathering does not describe or suggest that selected IT components in the IT infrastructure that may cause the problem in an application program are identified based on a symptom. Stated differently, there is no description or suggestion in the above-quoted passage of Marwaha that a symptom that identifies a problem in an application program may be used to identify selected ones of IT components in an IT infrastructure that may be the cause of the problem in the application program.

Moreover, Claim 1 further recites:

obtaining a respective situation for a respective selected IT component, the respective situation being one of a set of component-independent predefined situation categories that is associated with the respective selected IT component, so as to provide status of the selected IT

components in a common situation format that includes the associated one of the component-independent predefined situation categories....

At the top of Page 4 of the Official Action, the Official Action states, "an incoming alert is equivalent to a symptom." Yet, with regard the immediately above-quoted recitation of Claim 1 that relates to obtaining a respective situation, the Official Action cites Paragraph [0056], lines 8-10, Paragraph [0058] tables, and Paragraph [0061], lines 1-5, that deal with the alerts. Applicants respectfully submit that if the alerts of Marwaha are "equivalent to a symptom" recited in Claim 1, the alerts of Marwaha cannot also read on the "situations" recited in Claim 1.

Moreover, the alerts in Marwaha appear to be classified into a common set of tokens, including OriginClass, Origin, Domain, ObjectClass, Object, and Parameter tokens. Thus, alerts that come from different sources may be converted to a standard format. There is no description or suggestion, however, of obtaining a situation for a respective IT component that was identified as possibly causing a problem in the application program, wherein the situation is a component-independent predefined situation category that provides status of the selected IT component in a common situation format, as recited in Claims 1, 10, 14 and 19 of the present application. Stated differently, Marwaha's classification of alerts into common tokens does not describe or suggest obtaining component-independent situations for selected IT components that have been identified as possibly causing a problem in an application program, as recited in Claims 1, 10, 14 and 19 of the present application.

In conclusion, Marwaha relates to *"System and Method for Handling Distribution of Alerts"*, as noted in the Marwaha title, by providing a common event format for system alerts. In contrast, independent Claims 1, 10, 14 and 19 of the present application relate to methods, systems and computer program products for resolving problems in an application program that runs on an IT infrastructure that includes a plurality of IT components. As shown above, the cited passages of Marwaha do not anticipate the claim elements. Moreover, Marwaha would not suggest the recitations of independent Claims 1, 10, 14 and 19 because Marwaha and the present application are directed to solving different problems. Accordingly, independent Claims 1, 10, 14 and 19 are not anticipated by or obvious in view of Marwaha.

Many of the Dependent Claims Are Separately Patentable

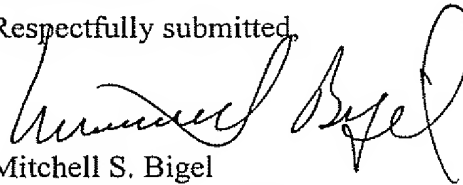
The dependent claims are patentable at least as depending from a patentable independent claim. Moreover, the Official Action has agreed that Claim 5 would be allowable if rewritten in independent form. The recitations of Claim 5 have been incorporated into Claim 4, so that Claim 4 is independently patentable. Applicants have not rewritten Claim 4 in independent form, in view of the clear patentability of independent Claim 1. Moreover, Claims 6 and 7 have been amended to provide proper antecedent basis for Claim 4.

Claims 12, 16 and 20 also are independently patentable, because these claims have been amended to incorporate therein the recitations of Claim 5, which were deemed by the Examiner to be independently patentable. Moreover, Claims 17 and 18 have been amended to provide proper antecedent basis for amended Claim 16. Accordingly, based on the indication provided by the Examiner, Claims 4, 6, 7, 12, 16, 17, 18 and 20 are independently allowable. Finally, new Claims 21-24 are patentable at least per the patentability of respective Claims 4, 12, 16 and 20 from which they depend.

Conclusion

Both Marwaha and the present application include some common terminology, because they relate to common formatting of messages. However, as was shown above, the cited passages of Marwaha do not describe or suggest the recitations of the independent claims. Moreover, the Examiner has agreed that many of the dependent claims are separately patentable. Accordingly, Applicants respectfully request withdrawal of the outstanding rejections and allowance of the present application.

Respectfully submitted,



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